

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION**

DICE CORPORATION,

Plaintiff,

v.

BOLD TECHNOLOGIES, LTD,

Defendant.

Case No. 11-CV-13578

District Judge: Hon. Thomas L. Ludington

Magistrate Judge: Hon. Mark A. Randon

**SUPERCEDING ORDER GRANTING IN PART AND DENYING IN PART
PLAINTIFF'S MOTION TO COMPEL DISCOVERY**

WHEREAS, this matter having come before the Court for a hearing on June 12, 2012 on Plaintiff's Motion to Compel Discovery pursuant to its First Request for Production of Documents, in which Plaintiff sought an order compelling production of documents responsive to request nos. 3 and 10;

WHEREAS, Defendant having objected to request nos. 3 and 10 of Plaintiffs' First Request for Production of Documents;

WHEREAS, the Court having issued its ruling on the record at the June 12, 2012 hearing, and the Court being otherwise advised in the premises;

WHEREAS, the Court having issued a written order addressing Plaintiff's motion on July 17, 2012 (Doc # 73);

WHEREAS, the parties having agreed that the order issued on July 17, 2012 does not fully and completely set forth the Court's ruling, and the parties having agreed to the submission of a new order more fully and completely setting forth the Court's ruling;

IT IS HEREBY ORDERED that Defendant's objections to request nos. 3 and 10 of Plaintiff's First Request for Production of Documents are hereby sustained and upheld, except that Defendant shall produce: 1) a copy of the quote it provided to the customer referred to in the Complaint known as ESC Central; and 2) a copy of its standard price list. Defendant shall produce these documents within 10 business days of the date of entry of this Order.

IT IS FURTHER ORDERED that in addition to any confidentiality protection available under the Court's existing Protective Order, the Defendant may designate the documents produced pursuant to this Order as "Attorney's Eyes Only" in which case the documents, and any information contained in the documents, may only be disclosed to Plaintiff's counsel of record (and any person employed by the counsel of record who is bound to the provisions of this Order), and shall not in any manner be disclosed to Dice Corporation or any representative, employee, director, officer, or agent thereof.

IT IS FURTHER ORDERED that after receipt of the documents produced pursuant to this Order, Plaintiff may motion the Court again to compel production of the remaining documents not produced pursuant to this Order, notwithstanding that said motion would fall outside discovery. However, as stated on the record, no further production will be ordered unless Plaintiff can make a showing that the documents to be produced under this order support Plaintiff's assertion made on the record that Defendant used Plaintiff's software to take customers away from Plaintiff.

IT IS FURTHER ORDERED that this order shall supercede the Court's prior order of July 17, 2012 (Doc # 73) and that the prior order shall be of no force or effect.

IT IS SO ORDERED.

s/Mark A. Randon
MARK A. RANDON
UNITED STATES MAGISTRATE JUDGE

Dated: August 6, 2012

Certificate of Service

I hereby certify that a copy of the foregoing document was served on the parties of record on this date, August 6, 2012, by electronic and/or first class U.S. mail.

s/Melody R. Miles
Case Manager to Magistrate Judge Mark A. Randon

Approved for Entry:

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